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BUREAU OF LAND MANAGEMENT

Spoilane District Office
1103 N. Panache
Spokane, Washington 99212-1275

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April 22, 2002

Lou Driessen, Project Manager
Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

Dear Mr. Driessen:

This is sent to provide comments on the draft EIS for the McNary-John Day Transmission Line Project (DOE/EIS-0332). The Bureau of Land Management is a formal cooperator for this EIS.

Under the proposed action, it appears that at least three tracts of BLM public lands would be crossed by the transmission line. Additional tracts of BLM lands, withdrawn by the U.S. Army Corps of Engineers, appear to be crossed (under the terms of an existing MOU, BLM has certain management responsibilities for the COE withdrawn lands, including the granting of rights-of-way unrelated to COE's project). However, because the DEIS maps are a small scale, it is difficult to determine for sure which tracts would be affected by the new transmission line. In order to permit meaningful review of the proposal, higher detail maps need to be included in the document or provided directly to BLM. The maps should clearly show the BLM and COE tracts potentially affected by the transmission line project. We recommend that these maps have a scale of 1:50,000 or better. The maps should include contour lines, and proposed tower and access road locations, if possible.

BLM has not yet received specific resource inventory reports for archaeology and vegetation surveys (including both rare plants and noxious weeds). From the discussion in the DEIS, it appears that not all of the inventories have been completed. These reports are necessary to adequately assess impacts of the project. Without them, both the affected environment and environmental consequences sections of Chapter 3 are incomplete. Prior to writing the Final EIS, these inventories must be completed and the reports provided to BLM for review. As

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discussed below, in order for the rare plant inventories to have validity, it is essential they be performed at the correct time of the year. The BLM also needs to receive copies of any Biological Assessment(s) prepared for the project.

The BLM has the following concerns or comments on specific sections of the DEIS:

Chapter 3. Vegetation Section:

To provide better understanding, the EIS could provide a table listing potential special status plant species, their habitats, and appropriate timing for field observation.

The DEIS states that the U.S. Fish and Wildlife Service (FWS) notified BPA that potential habitat could be present along the transmission line corridor for Ute ladies'-tresses (listed as Threatened) and for northern wormwood (candidate for listing). The Washington Natural Heritage Program (WNHP) provided information that potential habitat could be present for three species ranked as Sensitive in Washington: Pauper's milk-vetch, Snake River cryptantha, and Piper's daisy.

Although these species are potentially present in the project area, the field survey was conducted at an inappropriate time of the year. The July 2001 survey period reported in the DEIS is not a proper time to search for the plants listed above. Ute ladies'-tresses flowers in August through September, and technical characters of the flower are needed for identification. Northern wormwood flowers in April, and the involucre (structures surrounding the flowers) are important in distinguishing it from related members of the same genus. Pauper's milk-vetch flowers from April to mid-May, and the WNHP Rare Plant Guide states that "by late June all fruits are mature and plants fall into dormancy." Snake River cryptantha blooms in May and June, and flowers would not be present in July, although the plant may be recognizable in July by someone who is familiar with its appearance. Piper's daisy flowers in May and possibly into June, but it is a compact plant and the aboveground structures could have dried up by July. Identification of this plant involves looking at hairs present at the bases of the leaves.

The degree of disturbance that has already occurred along the transmission line route makes it less likely that a number of these species would be present. However, BLM has located Piper's daisy on several disturbed sites in Benton County; at one site the plant was most common along a buried pipeline route, and at another site the plant was found along a 4WD trail and adjacent to a fence line. Based on these finds, it appears this plant is tolerant of some disturbance. BLM has located Snake River cryptantha on sites that have been heavily grazed, as well as within and adjacent to 4WD trails.

Appendix C (Common and Scientific Names of Plants in Study Corridor) is confusing. The DEIS states that none of the plant species listed above were found in the surveys, yet all five of these plants are included in the list in Appendix C. We suspect they were listed

erroneously, but this should be clarified in the final version of the EIS. The confusion might be clarified by changing the title of the appendix to reflect what the list of plants actually represents (ex: List of Plants That Could Potentially Occur in the Study Corridor). Another suggestion is to change the title to "A List of Plants Identified as Occurring in the Study Corridor." In this case, you would need to delete the names of five plants now listed in the appendix that have not been located in the study corridor (northern wormwood, panper's milvetch (sic), piper's daisy, Snake River cryptantha, and Utes ladies' tresses).

Chapter 3. Cultural Resources Section:

The DEIS refers to field surveys conducted for the project area (page 3-81), but an inventory report has not been submitted for BLM review. The information provided is insufficient to verify the area of potential effect (APE) identified, and the level and extent of inventory conducted for it. A complete inventory report is required to determine the adequacy of the inventory to meet Section 106 requirements of the National Historic Preservation Act. Maps of the identified APE and the area inventoried are needed.

The cultural resource inventory reports should include maps and justification of the APE and inventory boundaries, and address the following questions: Were BLM lands inventoried? Did the contracting firm receive the required permits to conduct cultural inventory on federal lands? What level of inventory was conducted? Were sites located on BLM administered lands? Will the sites be avoided by the proposed project? Which sites would be monitored and what criteria used for site selection? What are the proposed buffers around sites that would be avoided? Why is a portion of the corridor planned for re-survey under contract with the Yakama Nation?

The DEIS reports that consultation was conducted with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), the Yakama Nation and the Confederated Tribes of the Warm Spring Reservation. Ten Traditional Cultural Properties (TCPs) were identified through consultation with the CTUIR Cultural Resources Protection Plan. Are the identified TCPs within the APE? Have boundaries and supporting documentation been completed for the TCPs? Is future consultation and resurvey with the Yakama Nation expected to identify additional TCPs? Has the eligibility of the properties been determined in consultation with the Native American Tribes, the Washington State Historic Preservation Office (SHPO), and, if located on federal lands, the responsible agencies? Will the proposed project alternatives affect eligibility of the TCPs to the National Register or affect Native American access or use of the TCPs? Documentation and maps of the TCPs are needed to identify the location of the properties relative to the project, thereby permitting review of the contractors assessment of effects to these properties.

The mitigation section (page 3-85) lists consultation with Umatilla Tribes and the Yakama Nation regarding site monitoring, and for establishing consultation protocols for site mitigation and management. Why is The Warm Springs Tribe not mentioned? In instances

of unanticipated finds, the text states that the tribes would be contacted. Neither SHPO nor the land management agencies are mentioned in this context. For public lands, both SHPO and BLM should be contacted in the event of inadvertent discovery of cultural resources. Similarly, consultation should be conducted with the tribes, SHPO, and BLM for cultural properties located on BLM administered lands.

Under the "Impacts During Construction" heading on page 3-84, the last sentence of the first paragraph states that "Cultural resource monitors could be provided,..." Under what conditions would a monitor be employed in ground disturbing activities? The second sentence in the second paragraph states "Of the 14 cultural sites found, 12 require avoidance and two sites require avoidance." This should be corrected.

The fourth bullet under the mitigation heading on page 3-85 should be clarified.

Under the "Impacts During Operation and Maintenance," heading on page 3-86, the last sentence in the first paragraph indicates review would be required if any maintenance activities need to occur outside of the tower locations or off access roads. More detail is needed on the type of review that would take place. Is consultation with tribes, SHPO or federal land management agency to be conducted as part of the review?

Besides the cultural section in Chapter 3, we noted that the DEIS summary section (page S-23, second paragraph) indicates that two recently documented sites and one previously documented site require monitoring during construction excavation. Would these sites be avoided as indicated on page 3-84? Will the TCPs be avoided? Have effects to the TCPs been identified and are the mitigation elements identified on page S-24 adequate to mitigate these effects?

Other Comments

We noted a discrepancy between the width of disturbance expected on the access roads for the transmission line. On page 2-7 under the "Access" heading, it says that a "20-foot-wide total area" would be disturbed; on page 3-25, under "Access Roads," it says the approximate impact area would be 25 feet wide.

Prior to the completion of the final EIS, it is essential that a meeting be scheduled between BPA and BLM to discuss the project. We also need to discuss the BLM's realty requirements for authorizing the project. The BLM's records show a 44 LD 513 authorization for the McNary-Big Eddy transmission line on a number of the tracts to be crossed by the current project. It is not evident from our files whether BPA has one or two existing powerlines within this right-of-way. Depending on the existing situation, the BPA will either need to amend its existing authorization or obtain a new right-of-way. In either case, a plan of development would be required for the new transmission line.

5 Comment Letters

McNary-John Day Transmission Line EIS

Please note that the BLM is not completely finished in its review of the DEIS. We will provide additional comments to BPA by May 3, 2002. If clarification is needed regarding the above comments, please contact Kathy Helm at 509/536-1200.

Sincerely,



acting for
Joseph R. Bluesing
District Manager

cc: Kathy Helm, Spokane District Office
Eric Stone, Oregon/Washington State Office (OR 933)
Bill Schurger, Wenatchee Field Office